

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

DAVID DURBIN,

Plaintiff,

v.

DANIEL YANISCH, *et al*,

Defendants.

Case No. C04-5466FDB

ORDER DENYING
RECONSIDERATION

Plaintiff moves for reconsideration following the Court's adopting of the Report and Recommendation for the reason that Plaintiff misrepresented facts in his *in forma pauperis* application and failed to cooperate in providing an explanation. Plaintiff has not persuaded this Court that it erred in adopting the R&R. ACCORDINGLY,

IT IS ORDERED: Plaintiff's Motion for Reconsideration [Dkt. # 46] is DENIED.

DATED this 18th day of April, 2005.


FRANKLIN D. BURGESS
UNITED STATES DISTRICT JUDGE